

Message Text

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ORIGIN EB-08

INFO OCT-01 EUR-12 ISO-00 DOTE-00 CAB-02 CIAE-00
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CAB - DFARMER (SUB)
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-----050165 172221Z /70
O 172127Z APR 78
FM SECSTATE WASHDC
TO AMEMBASSY PARIS IMMEDIATE
INFO AMEMBASSY BONN IMMEDIATE
AMEMBASSY THE HAGUE

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BONN FOR DEP ASST SECY JAMES ATWOOD

E.O. 11652: N/A

TAGS: EAIR, FR, US

SUBJECT: US-FRANCE CIVAIR ISSUES

REF: STATE 95656; STYLES-O'CONNOR AND STYLES-ATWOOD TELCONS

1. IN VIEW DEVELOPMENTS DESCRIBED BELOW, THIS CONFIRMS
THAT DEP ASST SECY ATWOOD AND OTHER MEMBERS USDEL NOW IN
BONN DESIRE STOP IN PARIS ON APRIL 20 AFTER GERMAN TALKS TO
DISCUSS WITH FRENCH IMMEDIATE ISSUES OF PAN AM CHANGE OF
GAUGE AND TWA GENEVA-NICE BLIND SECTOR, BOTH OF WHICH HAVE
AN APRIL 30 DEADLINE. THIS STOP WOULD BE IN ADDITION TO
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STOP AT HAGUE (STATE 96681).

2. ON APRIL 14, FRENCH EMBASSY DELIVERED NOTE RESPONDING
TO EMBASSY'S APRIL 12 AIDE MEMOIRE ON PAN AM CHANGE OF
GAUGE. NOTE REJECTS US LEGAL POSITION ENTIRELY. UNDER-
STAND EMBASSY ALREADY HAS COPY OF NOTE.

3. ON APRIL 17, DEPTOFF DELIVERED TO FRENCH EMBASSY
RESPONSE OF FRENCH APRIL 7 NOTE RE BLIND SECTOR/CONCORDE
ISSUES. TEXT AS FOLLOWS:

QUOTE. THE DEPARTMENT OF STATE REFERS TO THE NOTE OF THE
EMBASSY OF FRANCE DATED APRIL 7, 1978, CONCERNING CERTAIN

OPERATIONS BY AIR FRANCE AND TRANS WORLD AIRLINES AND THE
PROPOSED USE OF CONCORDE AIRCRAFT BY AIR FRANCE ON OPERA-
TIONS VIA WASHINGTON TO MEXICO CITY.

AS THE FRENCH AUTHORITIES ARE AWARE, AIR FRANCE NEEDS AN
AMENDMENT OF ITS OPERATIONS SPECIFICATIONS ISSUED BY THE
FEDERAL AVIATION ADMINISTRATION IN ORDER TO OPERATE
CONCORDE AIRCRAFT BETWEEN WASHINGTON AND MEXICO CITY. THE
OPERATIONS SPECIFICATIONS FOR CONCORDE AIRCRAFT CURRENTLY
CONTAIN CONDITIONS IMPOSED BY THE SO-CALLED COLEMAN
DECISION OF JANUARY 1976 UNDER WHICH THE OPERATIONS
SPECIFICATIONS FOR THE USE OF CONCORDE AIRCRAFT BETWEEN
PARIS, ON THE ONE HAND, AND NEW YORK AND WASHINGTON, ON
THE OTHER HAND, WERE ISSUED. THIS DECISION WAS MADE IN
ADVANCE OF THE ISSUANCE OF A NOISE RULE GOVERNING SUPER-
SONIC AIRCRAFT IN ORDER TO ALLOW DEMONSTRATION FLIGHTS OF
CONCORDE SST AIRCRAFT TO PROVIDE INFORMATION USEFUL IN THE
DEVELOPMENT OF APPROPRIATE NOISE RULES. THE FEDERAL
AVIATION ADMINISTRATION HAS SINCE THEN ISSUED A NOTICE OF
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PROPOSED RULEMAKING CONCERNING SUPERSONIC AIRCRAFT WHICH
WOULD BE GENERALLY APPLICABLE TO THE CONCORDE AIRCRAFT,
AND INTENDS TO ISSUE A FINAL RULE THIS YEAR.

THE DEPARTMENT OF STATE HAS BEEN ADVISED BY THE DEPARTMENT
OF TRANSPORTATION THAT IT WOULD NOT BE CONSISTENT WITH THE
COLEMAN DECISION AND ACCOMPANYING 1975 ENVIRONMENTAL
IMPACT STATEMENT TO CONSIDER AN AMENDMENT OF AIR FRANCE'S
OPERATIONS SPECIFICATIONS INVOLVING USE OF CONCORDE AIR-
CRAFT BETWEEN WASHINGTON AND MEXICO CITY PRIOR TO ADOPTION
OF A FINAL RULE ON SUPERSONIC AIRCRAFT. APPROVAL OF SUCH
OPERATIONS WOULD BE SUBJECT TO LEGAL CHALLENGE WITHOUT AN
APPROPRIATE ENVIRONMENTAL IMPACT STATEMENT. ACTION ON AIR
FRANCE'S APRIL 5 APPLICATION FOR AMENDMENT OF ITS OPERA-
TIONS SPECIFICATIONS WILL THEREFORE BE DEFERRED. IT IS
ANTICIPATED, HOWEVER, THAT PROMPT ACTION ON AMENDMENT OF
AIR FRANCE'S OPERATIONS SPECIFICATIONS WOULD BE TAKEN UPON
ADOPTION OF THE FINAL NOISE RULE, ASSUMING THAT THE RULE
PERMITS SUCH FLIGHTS. OFFICIALS OF THE DEPARTMENT OF
TRANSPORTATION WILL BE PLEASED TO EXPLAIN THE QUESTION
SURROUNDING THIS MATTER TO FRENCH OFFICIALS.

IT SHOULD BE NOTED THAT, WHILE THE INSTANT QUESTION INVOLVES USE OF CONCORDE AIRCRAFT BETWEEN WASHINGTON AND MEXICO CITY, THE DEPARTMENT OF TRANSPORTATION CONSIDERS THAT THE SAME SITUATION WOULD APPLY TO OTHER PROPOSED USES OF THE CONCORDE BEYOND THOSE AUTHORIZED IN THE COLEMAN DECISION.

IN VIEW OF THE FOREGOING SITUATION, AND THE EXPECTATION

THAT THE NOISE RULE WILL BE RESOLVED WITHIN THE NEXT SEVERAL MONTHS, THE DEPARTMENT OF STATE IS CONCERNED THAT THE FRENCH AUTHORITIES HAVE SUGGESTED THAT THEY WOULD NOT RENEW TWA'S GENEVA-NICE AUTHORITY BEYOND APRIL 30 UNLESS AUTHORIZATION IS GRANTED FOR THE CONCORDE OPERATIONS LIMITED OFFICIAL USE

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BETWEEN WASHINGTON AND MEXICO CITY BY MAY 1. WE ARE ADVISED THAT FAVORABLE ACTION BY THE DEPARTMENT OF TRANSPORTATION CANNOT BE EXPECTED BY THAT DATE. ACCORDINGLY, THE UNITED STATES RESPECTFULLY REQUESTS THAT THE FRENCH AUTHORITIES PERMIT THE SUBJECT TWA OPERATION TO CONTINUE FOR THE INTERIM PERIOD. THIS WILL BEST ENSURE A SATISFACTORY ACCOMMODATION OF THE DESIRES OF BOTH GOVERNMENTS.

WE MUST ADD THAT IF TWA'S GENEVA-NICE AUTHORIZATION IS NOT EXTENDED, THE DEPARTMENT OF STATE WOULD HAVE NO ALTERNATIVE BUT TO WITHDRAW THE UNDERTAKING TO AUTHORIZE AIR FRANCE TO OPERATE WITHOUT TRAFFIC RIGHTS BETWEEN WASHINGTON AND MEXICO CITY. END QUOTE.

4. RE PARIS 12254, EMBASSY AND USDEL SHOULD BE AWARE THAT, ALTHOUGH TWA HAS FILED WITH FRENCH TO INCREASE ITS SERVICE BEYOND PARIS TO CAIRO FROM FOUR TO SEVEN WEEKLY FLIGHTS, IT WILL CARRY LOCAL PARIS-CAIRO TRAFFIC ON ONLY FIVE OF THESE FLIGHTS AS RESULT RECENT US-EGYPT ARRANGEMENT. FRENCH MAY BE UNAWARE OF THIS. CHRISTOPHER

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